

AMENDED IN ASSEMBLY JUNE 24, 2004

AMENDED IN ASSEMBLY JUNE 9, 2004

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

Assembly Joint Resolution

No. 85

**Introduced by Assembly Members Leno, Goldberg, Kehoe, and
Laird**

(Principal coauthor: Senator Kuehl)

**(Coauthors: Assembly Members Berg, Calderon, Canciamilla,
Chan, Chavez, Chu, Cohn, Corbett, Diaz, Dutra, Dymally,
Firebaugh, Frommer, Hancock, Jerome Horton, Jackson,
Koretz, Levine, Lieber, Liu, Longville, Lowenthal, Montanez,
Mullin, Nakano, Nation, Nunez, Oropeza, Pavley, Reyes,
Ridley-Thomas, Simitian, Steinberg, Vargas, Wiggins, Wolk,
and Yee) Yee, Parra, Salinas, and Wesson)**

(Coauthors: Senators Figueroa, Karnette, Romero, Sher, and
Vasconcellos)

May 17, 2004

Assembly Joint Resolution No. 85—Relative to same-sex couples.

LEGISLATIVE COUNSEL'S DIGEST

AJR 85, as amended, Leno. Same-sex couples.

This measure would respectfully oppose any federal enactment designed to prohibit or restrict the provision of rights and obligations under the law for same-sex couples and their families.

Fiscal committee: no.

1 WHEREAS, All individuals and families are entitled to dignity,
2 liberty, and equal protection under the law; and

3 WHEREAS, Like different-sex couples, same-sex couples in
4 California form committed relationships, share their lives
5 together, participate in their communities together, and raise
6 children and care for other dependent family members together;
7 and

8 WHEREAS, The most recent data from the United States
9 Census Bureau shows that same-sex couples and their families
10 reside in all 58 counties in California and include more than 92,000
11 couples statewide; and

12 WHEREAS, Alleviating discrimination against these families
13 furthers the state's interest in supporting stable family
14 relationships, promoting personal and fiscal responsibility, and
15 encouraging parents, rather than the state, to provide financial
16 support for children; and

17 WHEREAS, Historically, the states, rather than the federal
18 government, have assumed primary responsibility for establishing
19 family policy; and

20 WHEREAS, A measure to amend the federal Constitution to
21 mandate discrimination against same-sex couples and their
22 families, and to prevent any branch of government from extending
23 equal rights and obligations to such couples and their families, has
24 been introduced in the United State Congress; and

25 WHEREAS, Throughout American history, the United States
26 Constitution has been amended, starting with the Bill of Rights, to
27 protect the rights, freedoms, and liberties of the American people;
28 and

29 WHEREAS, This proposed measure would represent the first
30 use of the constitutional amendment process in our nation's history
31 to single out a group of Americans for discrimination; now,
32 therefore, be it

33 *Resolved by the Assembly and Senate of the State of California,*
34 *jointly,* That the Legislature of the State of California respectfully
35 opposes any federal enactment designed to prohibit or restrict the
36 provision of rights and obligations under the law for same-sex
37 couples and their families; and be it further

38 *Resolved,* That the Chief Clerk of the Assembly transmit copies
39 of this resolution to the President of the United States, to each
40 Senator and Representative in the Congress of the United States,

- 1 and to the presiding officer of each house of each state legislature
- 2 in the United States.

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